

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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A. & R. Lobosco, Inc.,

Plaintiff,

15 CV 3737 (SJ) (ST)

-against-

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

Superior Trading Inc.

Defendants.

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A P P E A R A N C E S

JOSEPH TROTTI
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Suite 1E9
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Attorney for Plaintiff

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge Steven Tiscione. Judge Tiscione issued the Report on September 14, 2016, and provided the parties until September 30, 2016 to file any objections. Neither party filed any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28

U.S.C. § 636(b)(1). Within 14 days of service of the recommendation, any party may file written objections to the magistrate's report. See id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections may waive the right to appeal this Court's Order. See 28 U.S.C. § 636(b)(1); Small v. Sec'y of Health and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, objections to Magistrate Judge Gold's recommendations were due on September 30, 2016. No objections to the Report were filed with this Court. Upon review of the recommendations, this Court adopts and affirms Magistrate Judge Tiscione's Report in its entirety. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: October 3, 2016
Brooklyn, NY

_____/S/
Sterling Johnson, Jr., U.S.D.J.